

CITY OF BURIEN, WASHINGTON

ORDINANCE NO. 541

AN ORDINANCE OF THE CITY OF BURIEN, WASHINGTON AMENDING BURIEN MUNICIPAL CODE TITLE 15, (BUILDINGS AND CONSTRUCTION CODE) BY REPEALING CHAPTERS 15.05 (ADMINISTRATION), 15.10 (BUILDING CODE), 15.15 (MECHANICAL CODE), 15.20 (FIRE CODE); 15.30 (ELECTRICAL CODE); AMENDING CHAPTER 15.12 (AIRCRAFT NOISE REDUCTION), AND ADOPTING NEW CHAPTERS 15.05 (CONSTRUCTION ADMINISTRATIVE CODE), 15.10 (CONSTRUCTION CODES), 15.20 (FIRE CODE), AND 15.40 (BURIEN BUILDING AND PROPERTY MAINTENANCE CODE), PROVIDING FOR SEVERABILITY, AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Washington statute requires all jurisdictions in the state to adopt by reference and enforce the updated version of the State Building Code as set forth in RCW 19.27.031; and

WHEREAS, the updated version of the State Building Code will go into effect on July 1, 2010; and

WHEREAS, RCW 19.27.040 permits a city to amend the State Building Code as it applies within that city, so long as the minimum performance standards for the Code and the objectives enumerated in RCW 19.27.020 are not diminished; and

WHEREAS, the City Council of the City of Burien has adopted by reference the State Building Code and related construction codes for the health, safety and welfare of the citizens, as set forth in the Burien Municipal Code Title 15; and

WHEREAS, the City Council wishes to provide consistency in the administration of the construction codes; and

WHEREAS, the City Council wishes to provide standards for the maintenance of buildings and property within the City to protect the public health, safety and welfare;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BURIEN, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. BMC Chapter 15.05 Repealed. Chapter 15.05, Administration, of the Burien Municipal Code is hereby repealed.

Section 2. New BMC Chapter 15.05 Adopted. Title 15, Building and Construction, of the Burien Municipal Code is hereby amended by the adoption of a new Chapter 15.05, Construction Administrative Code which is attached hereto as Exhibit A and is incorporated herein by this reference.

Section 3. BMC Chapter 15.10 Repealed. Chapter 15.10, Building Code, of the Burien Municipal Code is hereby repealed.

Section 4. New BMC Chapter 15.10 Adopted. Title 15, Building and Construction, of the Burien Municipal Code is hereby amended by the adoption of a new Chapter 15.10, Construction Codes which is attached hereto as Exhibit B and is incorporated herein by this reference.

Section 5. BMC Chapter 15.12 Amended. Chapter 15.12 Aircraft Noise Reduction, of the Burien Municipal Code is hereby amended by revising BMC 15.12.080 which is attached hereto as Exhibit C and is incorporated hereto by this reference.

Section 6. BMC Chapter 15.15 Repealed. Mechanical Code, of the Burien Municipal Code is hereby repealed and relocated to BMC Chapter 15.10, Construction Codes.

Section 7. BMC Chapter 15.20 Repealed. Chapter 15.20, Fire Code, of the Burien Municipal Code is hereby repealed.

Section 8. New BMC Chapter 15.20 Adopted. Title 15, Building and Construction, of the Burien Municipal Code is hereby amended by the adoption of new Chapter 15.20, Fire Code which is attached hereto as Exhibit D and is incorporated herein by this reference.

Section 9. BMC Chapter 15.25 Repealed. Plumbing Code, of the Burien Municipal Code is hereby repealed and relocated to BMC Chapter 15.10, Construction Codes.

Section 10. BMC Chapter 15.30 Repealed. Electrical Code, of the Burien Municipal Code is hereby repealed and relocated to BMC Chapter 15.10, Construction Codes.

Section 11. New BMC Chapter 15.40 Adopted. Title 15, Building and Construction, of the Burien Municipal Code is hereby amended by the adoption of new Chapter 15.40, Burien Building and Property Maintenance Code, which is attached hereto as Exhibit E and is incorporated herein by this reference.

Section 12. Severability. Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state

or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 13. Effective Date. This ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force beginning July 1, 2010.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 21ST DAY OF JUNE, 2010, AND SIGNED IN AUTHENTICATION OF ITS PASSAGE THIS 21ST DAY OF JUNE, 2010.

CITY OF BURIEN

/s/ Joan McGilton, Mayor

ATTEST/AUTHENTICATED:

/s/ Monica Lusk, City Clerk

Approved as to form:

/s/ Craig Knutson, City Attorney

Filed with the City Clerk: June 21, 2010

Passed by the City Council: June 21, 2010

Ordinance No.: 541

Date of Publication: June 24, 2010